

IN THE DISTRICT COURT OF TULSA COUNTY, OKLAHOMA

STATE OF OKLAHOMA,) ss.
COUNTY OF TULSA,)

No. CF-2001-1511

THE STATE OF OKLAHOMA,) AMENDED INFORMATION
Plaintiff,)
) 21- 701-0007
VS.) 21- 421
)
JAMES JOSEPH BULGER,)
aka JAMES "WHITEY" BULGER,)
aka JIMMY BULGER,)
STEPHEN JOSEPH FLEMMI,)
aka STEPHEN "THE RIFLEMAN" FLEMMI,)
aka STEVIE FLEMMI,)
JOHN VINCENT MARTORANO,)
aka JOHNNY VINCENT MARTORANO,)
H. PAUL RICO)
Defendants,)

DISTRICT COURT
FILED
OCT 10 2003

SALLY HOWE SMITH, COURT CLERK
STATE OF OKLA. TULSA COUNTY

BE IT REMEMBERED:

That TIM HARRIS, the duly elected and qualified DISTRICT ATTORNEY FOR TULSA COUNTY, OKLAHOMA, who prosecutes in the name and by the authority of the STATE OF OKLAHOMA, comes now into District Court of Tulsa County, State of Oklahoma, and gives the Court to understand and be informed that:

(Count 1)

JAMES JOSEPH BULGER, STEPHEN JOSEPH FLEMMI, JOHN VINCENT MARTORANO, H. PAUL RICO, JOHN BERNARD CALLAHAN (Deceased), and JOSEPH MAURICE McDONALD (Deceased), on or about 05-27-81, in Tulsa County, State of Oklahoma and within the jurisdiction of this Court, did commit the crime of MURDER IN THE FIRST DECREE, a felony, by unlawfully, feloniously, and willfully while acting in concert with each other with malice aforethought, without the authority of law, effect the death of ROGER WHEELER, Sr. at the Southern Hills Country Club, Tulsa County, State of Oklahoma, by shooting him in the face with a pistol then and there and thereby inflicting the certain mortal wounds in the body of said ROGER WHEELER, Sr. from which mortal wounds the same ROGER WHEELER, Sr. did languish and die on the 27th day of May 1981.

(Count 2)

JAMES JOSEPH BULGER, STEPHEN JOSEPH FLEMMI, JOHN VINCENT MARTORANO, H. PAUL RICO, JOHN BERNARD CALLAHAN (Deceased), and JOSEPH MAURICE McDONALD (Deceased) between 11/01/78 and 08/31/82 in Tulsa County, State of Oklahoma and within the jurisdiction of this Court and other locations within the United States of America, including but not limited to Boston, Massachusetts and Miami, Florida, did commit the crime of CONSPIRACY TO COMMIT MURDER IN THE FIRST DEGREE, a felony, while acting in concert each with the other, by unlawfully, feloniously, willfully, knowingly and intentionally, conspiring and agreeing each with other to commit MURDER IN THE FIRST DEGREE by shooting ROGER WHEELER, Sr. with a pistol, and in furtherance of said conspiracy, did commit the following overt acts, to wit:

OVERT ACT ONE:

That on or about May 1981, James Joseph Bulger, Stephen Joseph Flemmi and Patrick Nee went to the residence of Patrick Nee, in Boston, Massachusetts, and James Joseph Bulger and Stephen Joseph Flemmi picked weapons from a hidden room in the basement of Patrick Nee's house to be sent to John Vincent Martorano to be used by John Vincent Martorano and Joseph Maurice McDonald (Deceased) in the killing of ROGER WHEELER, Sr. in Tulsa Oklahoma.

OVERT ACT TWO:

That on or about May 1981, John Bernard Callahan (Deceased) and H. PAUL RICO provided John Vincent Martorano and Joseph Maurice McDonald (Deceased) with the general description, address of both home and work and the make, model and tag number of the vehicle of ROGER WHEELER, Sr.

OVERT ACT THREE:

That on or about May 1981, John Vincent Martorano and Joseph Maurice McDonald (Deceased) left Florida flying to Oklahoma City, Oklahoma, where they rented a vehicle and drove to Tulsa Oklahoma. Once arriving in Tulsa, Oklahoma, John Vincent Martorano and Joseph Maurice McDonald (Deceased) lodged at the Trade Winds West at 51st Street and Peoria in Tulsa, Oklahoma.

OVERT ACT FOUR:

That on or about May 1981, John Vincent Martorano and Joseph Maurice McDonald (Deceased) went to the home address of ROGER WHEELER, Sr., in Tulsa, Oklahoma and determined that the "Hit" could not be done at that location.

OVERT ACT FIVE

That on or about May 1981, John Vincent Martorano and Joseph Maurice McDonald (Deceased) went to the Business address of ROGER WHEELER, Sr. located at the Telex building at 41st Street and Sheridan Avenue in Tulsa, Oklahoma, and determined that the "hit" could not be done at that location due a security camera located where ROGER WHEELER, Sr. parked his car.

OVERT ACT SIX:

That on or about May 1981, James Joseph Bulger and Stephen Joseph Flemmi caused the weapons, that had been retrieved from Patrick Nee's home, to be sent to Tulsa, Oklahoma by bus for the use of John Vincent Martorano and Joseph Maurice McDonald (Deceased) to kill ROGER WHEELER, Sr. The aforesaid weapons were picked up at the bus terminal in Tulsa, Oklahoma by John Vincent Matorano and Joseph Maurice McDonald (Deceased).

OVERT ACT SEVEN:

That on or about May 1981, John Bernard Callahan (Deceased) provided John Vincent Martorano and Joseph Maurice McDonald (Deceased) information that ROGER WHEELER, Sr. would be playing a round of golf at the Southern Hills Golf Course, Tulsa, Oklahoma, on 5-27-81.

OVERT ACT EIGHT:

That on or about 5-27-81, John Vincent Martorano and Joseph Maurice McDonald (Deceased) went to the Southern Hills Country Club in Tulsa, Oklahoma and found the vehicle that had been previously described to them as belonging to ROGER WHEELER, Sr. and parked close to ROGER WHEELER, Sr.'s vehicle in the west parking lot of the Southern Hills Country Club. Upon seeing a person matching the description that had been previously been given to them by John Bernard Callahan (Deceased), John Vincent Martorano got out of the vehicle driven by Joseph Maurice McDonald (Deceased) and walked toward the vehicle. John Vincent Martorano opened the door of ROGER WHEELER Sr.'s vehicle and shot ROGER WHEELER Sr. once in the face with a pistol causing his death.

contrary to the form of the statutes in such cases made and provided, and against the peace and dignity of the State.

TIM HARRIS, District Attorney

By Tim Harris
~~Assistant~~ T.H.H.

STATE OF OKLAHOMA,) ss.
COUNTY OF TULSA,)

I, DON BELL, being duly sworn on oath, say that the statements set forth in the above information are true.

Don Bell
Subscribed and sworn to me this day 10th day of October, 2001.

SALLY HOWE SMITH, Court Clerk

By Sally Howe Smith
Deputy

NAMES OF WITNESSES

TIFFANY AREND

c/o Bill LaFortune, Attorney at Law
2900 Mid-Continent Tower, Tulsa Ok
Chicago Ill.

AMY GRAY

GEORGE MATSON

4424 S. Quaker, Tulsa OK

WILLIAM ERNEST HENSON

c/o Todd Golden, Attorney at Law
320 S. Boston, Tulsa, Ok

FLOYD WILLIAMSON

2422 N. Norwood,
Beggs, Ok 74421

RICKY LEWIS

5218 N. Kenosha
Tulsa, Ok 74126

CALVIN RUSSELL

3245 N. Hartford
Tulsa, Ok 74106

TELEPHONE RECORDS
KEEPER
LARRY GUILLOT

JOHN MARTORANO

PATRICK NEE

KEVIN WEEKS

AGENT GERALD MONTENARI

BILL CAGNEY

PHIL SKIPP

AGENT RON WEST

TROOPER GREG FOLEY

New England Bell/Southern Bell

P.O. Box 846

North Grosvenordale, CT 06255

c/o U.S. Marshall's Service/Fred
Wyshak, 1 Courthouse Way, Boston MA

c/o Frank DiMento, Attorney at Law
7 Faneuil Marketplace, 3rd Floor,
Boston, MA 02109-1649

c/o U.S. Marshall's Service/Fred
Wyshak, 1 Courthouse Way, Boston MA

c/o Justice Task Force, 18 Treemont
St., Boston, MA

501 East Atlantic Ave., Del Ray
Beach, FL 33483

3500 NW 37th Ave, Miami FL

Midwest City, Oklahoma City, OK

1010 Commonwealth Ave.
Boston, MA

Description of Defendant(s)

NAME: Bulger, James Joseph DOB: 9-3-29
ADDRESS: SSN:
DESCRIPTION: W/M 5'9", 150# HAIR=White EYES=Blue FBI: 169-486A
REMARK: Subject currently a fugitive of FBI
Top-ten Fugitive List
A/K/A Jim, Whitey

NAME: Flemmi, Stephen Joseph DOB: 6-9-34
ADDRESS: SSN:
DESCRIPTION: W/M 5'8", 160# HAIR=Brown EYES=Brown FBI: 401-425C
REMARKS: Subject currently in federal custody
A/K/A Stevie, Rifleman

NAME: Martorano, John Vincent DOB: 12-13-40
ADDRESS: SSN:
DESCRIPTION: W/M 5'10" 225# HAIR=Brown EYES=Brown FBI: 354-057D
REMARK: Subject currently in federal custody
A/K/A Johnny

NAME: Rico, H. Paul DOB: 4/29/25
ADDRESS: SSN:
DESCRIPTION: W/M 5'0", 200# HAIR=Gray EYES=Brown Retired FBI
Agent